

## Surface Transportation Board, DOT

## § 1011.4

1011.4 The Chairman, Vice Chairman, and Senior Board Member present.

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1011.8 Delegations of authority by the Board to specific offices of the Board.

AUTHORITY: 5 U.S.C. 553; 31 U.S.C. 9701, and 49 U.S.C. 701, 721, 11144, 14122, and 15721.

SOURCE: 58 FR 29357, May 20, 1993, unless otherwise noted.

### § 1011.1 General.

(a) This part describes the organization of the Board, and the assignment of jurisdiction and responsibilities to the Board, individual Board Members or employees, and employee boards.

(b) As used in this part, *matter* includes any case, proceeding, question, or other matter within the Board's jurisdiction; and *decision* includes any decision, ruling, order, or requirement of the Board, an individual Board Member or employee, or an employee board.

### § 1011.2 The Board.

(a) The Board reserves to itself for consideration and disposition:

(1) All rulemaking and similar proceedings involving the promulgation of rules or the issuance of statements of general policy.

(2) All investigations and other proceedings instituted by the Board, except as may be ordered in individual situations.

(3) All administrative appeals in a matter previously considered by the Board.

(4) All other matters submitted for decision except those assigned to an individual Board Member or employee or an employee board.

(5) Except for matters assigned to the Chairman of the Board under § 1011.5(a)(6),

(i) The determination of whether to reconsider a decision being challenged in court;

(ii) The disposition of matters that have been the subject of an adverse decision by a court; and

(iii) The determination whether to file any memorandum or brief or otherwise participate on behalf of the Board in any court.

(6) The disposition of all matters involving issues of general transportation importance, and the determination whether issues of general transportation importance are involved in any matter.

(7) All appeals of initial decisions issued by the Director of the Office of Proceedings under authority delegated at § 1011.8(c). Appeals must be filed within 10 days after service of the Director decision or publication of the notice, and replies must be filed within 10 days after the due date for appeals or any extension thereof.

(b) The Board may bring before it any matter assigned to an individual Board Member or employee or employee board.

### § 1011.3 Divisions of the Board.

The Board may establish such divisions as it considers necessary to handle any matter before it.

### § 1011.4 The Chairman, Vice Chairman, and Senior Board Member present.

(a)(1) The Chairman of the Board is appointed by the President as provided by 49 U.S.C. 10301(b). The Chairman has authority, duties, and responsibilities assigned under 49 U.S.C. 10301(f) and described in this part.

(2) The Vice Chairman is elected by the Board for the term of 1 calendar year.

(3) In the Chairman's absence, the Vice Chairman is Acting Chairman, and has the authority and responsibilities of the Chairman. In the Vice Chairman's absence, the Chairman, if present, has the authority and responsibilities of the Vice Chairman. In the absence of both the Chairman and Vice Chairman, the senior Board Member present, based on time of continuous service as a member of the Board, is Acting Chairman, and has the authority and responsibilities of the Chairman and Vice Chairman.

(b)(1) The Chairman is the executive head of the Board and has general responsibility for:

(i) The overall management and functioning of the Board;

(ii) The formulation of plans and policies designed to assure the effective